

Agenda
Bar Harbor Town Council
October 7, 2014

- I. **CALL TO ORDER** – 6:00 p.m. – Town Council Chambers
 - A. **Excused Absence(s)**
- II. **EXECUTIVE SESSION - Union Negotiations: Teamsters Local No. 340 Highway and Sewer Union** – (To be held in executive session as permitted by 1 MRSA §405(6)(D) for discussion of labor negotiation.)

(Regularly Scheduled Meeting Resumes at 7:00 P.M.)

- III. **PUBLIC COMMENT PERIOD** – The Town Council allows at this time up to fifteen minutes of public comment on any subject not on the agenda with a maximum of three minutes per person.
- IV. **APPROVAL OF MINUTES**
 - A. **September 16, 2014 Regular Meeting**
- V. **ADOPTION OF AGENDA**
- VI. **CONSENT AGENDA** – A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor:
 - A. **Taxi Licenses** – Possible motion to approve a new taxi license for Point 2 Point Taxi & Tours as submitted by Denise M. Daugherty.
 - B. **Quitclaim Deed** – Possible motion to authorize the Town Manager to sign a quitclaim release deed for the property of Bank of New York Mellon located at 22 White Spruce Road, Tax Map 110-053-000.
 - C. **November 4, 2014 Election** – Possible motion to confirm that the Town Clerk be appointed to serve as Warden for the State election, pursuant to Title 20-A.
 - D. **Purchasing Authorization** – Possible motion to revert the signing authority for purchases back to the Town Manager pursuant to Town Council's Purchasing Policy.
 - E. **General Assistance Ordinance** – Possible adoption of a motion to schedule a public hearing for November 18, 2014 to consider adoption of the annual revision of maximum benefit level in Bar Harbor Code, Chapter 102, General Assistance, Appendixes B, C and G pursuant to 22 MRSA §4305(4).

VII. PUBLIC HEARINGS:

- A. Special Town Meeting: November 4, 2014** – Pursuant to 30-A MRSA 2528(5), public comments on Warrant Article 2, **Deer Herd Management Strategy Plan.**

VIII. REGULAR BUSINESS:

- A. FY15 Sewer Budget** – Re-consideration and any appropriate action to tentatively adopt the FY15 Sewer Budget and schedule a public hearing. Tabled item from 9/16/14.
- B. October 21, 2014 Meeting Date** - The Council Chair has requested that the meeting on the 21st be re-scheduled to Monday the 20th.
- C. Treasurer's Warrant** – Request of Treasurer to authorize paid bills.

IX. TOWN MANAGER'S COMMENTS

X. COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA

XI. EXECUTIVE SESSION: (None Anticipated)

XII. ADJOURNMENT

**In order to assure your full participation in this meeting,
we would appreciate your informing us of any special
requirements you might have due to a disability.**

Please call 288-4098

Agenda Notes

To: Bar Harbor Town Council
From: Jim Ashe, Interim Town Manager
Date: September 30, 2014

Re: ***Town Council Meeting of October 7, 2014***

Please note the earlier starting time of 6:00p.m. for this meeting.

- II. **Executive Session** – The Council needs to be updated on the current status of the Town's **Collective Bargaining** efforts with its Teamsters Local No. 340 Highway and Sewer Union. The Town's negotiator, Mike Wing will be present.
- VI. There are 5 items under the **Consent Agenda**
 - A. Denise Dougherty of Point 2 Point Taxi and Tours is requesting a **new taxi license** for one taxi.
 - B. **Quitclaim Deed** for a property located at 22 White Spruce Road.
 - C. **Election Warden Appointment**- See memo.
 - D. **Purchasing Authorization** - See memo and attached policy.
 - E. **Annual update of General Assistance Ordinance amendments**- Memo and Appendix attached.
- VII. This **Public Hearing** on the Deer Herd Management Plan is a statutory requirement per 30-A MRSA 2528(5) at least ten days prior to the election on November 4th. If the voters support the article, the Town Council will be authorized to petition the State of Maine Department of Inland Fisheries and Wildlife to consider adopting a management plan base on the proposed plan. The Task Force held a Question and Answer meeting on Thursday October 2nd and will hold another one on October 27th.
- VIII. **Regular Business** items as follows:
 - A. **FY 15 Sewer Budget** – Action on this item was tabled at your last meeting due to a need for additional background information and possible revision. I have met with Stan and Chip to review the budget to see if revisions could be made to reduce the overall rate increase. I am pleased to say that we have come up with a plan of action, that we hope the Council will support. Stan will be preparing a memo outlining the most up to date changes for the Council. It is hoped that employee negotiations will be finished to better account for costs in that area as well.

Although I will not be present for your meeting on the 7th, I am recommending the following reductions:

1. Acct. # 5330 “Wet Well Prep and Painting” \$63,250.

This reduction would mean that the wet well prep and painting project would become a 4 year project of '15 at \$35,000, '16 at \$30,000, '17 at \$30,000 and '18 at \$30,000. It does mean the project estimated cost would be \$125,000 vs. the \$98,250, but provides more of a balanced cost over the 4 years.

2. Acct. # 5628 “Mains and Services” \$ 5,050.

3. Acct. # 5708 “Operating Equipment” \$ 700

This reduction means buying one manhole cover lift instead of two.

4. Acct. # 5844 “Training and workshops” \$ 1,000.

Total Reduction \$70,000.

This reduction will lower the blended sewer rate from 8% to 4.7%.

Please note that, if the Council adopts this proposed sewer budget on the 7th, the required Public Hearing cannot be scheduled for the meeting on the 21st, so will be on the next Council meeting date of Nov. 18th, or if you wish, a special meeting date between Oct. 27 and Nov. 18.

- B. **Change in October 21, 2014 Meeting Date** – Due to the scheduled Annual Chamber of Commerce Dinner Meeting on the 21st, The Council Chair is asking if the Council would reschedule their meeting on the 21st to Monday the 20th.

Minutes
Bar Harbor Town Council
September 16, 2014

- I. **CALL TO ORDER** – 6:00 p.m. – In attendance were Councilors: Paul Paradis, Gary Friedmann, Anne Greenlee, Peter St. Germain, Burt Barker, David Bowden, Clark Stivers; and Interim Town Manager Jim Ashe.

A. **Excused Absence(s)** – All were present.

II. **EXECUTIVE SESSION:**

- A. **Union Negotiations: Professional Fire Fighters of Bar Harbor Local 4666** – *(To be held in executive session as permitted by 1 MRSA §405(6)(D) for discussion of labor negotiation.)* – Mr. St. Germain, with second by Mr. Barker, moved to enter into executive session at 6:01 p.m. as permitted by 1 MRSA §405(6)(D) for discussion of labor negotiation. Motion passed 7-0. In addition the Town Council, Town Manager Jim Ashe, Treasurer Stan Harmon, and Fire Chief Matt Bartlett were in attendance. Public session at 6:42 p.m. Meeting recessed until 7:00 p.m.

Regularly scheduled meeting resumed at 7:00 p.m.

Chair Paradis announced the Council came out of executive session and before Council considers any action Mr. Ashe has a few comments. Following Interim Town Manager Jim Ashe's brief highlights of the changes in the new contract, Mr. Bowden, with second by Mr. St. Germain, moved to authorize the Town Manager to sign a three year Fire Fighters contract as outlined this evening. Motion passed 7-0.

- III. **PUBLIC COMMENT PERIOD** – *The Town Council allows at this time up to fifteen minutes of public comment on any subject not on the agenda with a maximum of three minutes per person.* – Resident Stewart Brecher presented a modest proposal of changing the configuration of curb cuts stating Bar Harbor is a pedestrian and bicycle town. He suggested eliminating all curb cuts where there are sidewalks. Modify the conventional curb cut by changing the angle so pedestrians are not walking up and down, but a vehicle is absorbing the angle. He provided a hand out of his suggestion based on the concept used in Norway.

IV. **APPROVAL OF MINUTES**

- A. **September 2, 2014 Regular Meeting** – Councilor Bowden amended item II B. to reflect he voted in favor of appointing Judith Noonan to the Parking and Traffic Committee and that Mr. St. Germain voted not to appoint.

Ms. Greenlee, with second by Mr. Friedmann, moved to approve the minutes of September 2, 2014 as amended. Motion passed 7-0.

- V. **ADOPTION OF AGENDA** – Mr. St. Germain, with second by Mr. Friedmann, moved to adopt the amended agenda. Motion passed 7-0.

- VI. **FINANCIAL STATEMENTS** – *Review and possible adoption of a motion to accept the financial statements as presented.* – Following a brief overview by Finance Director Stan Harmon, Mr. Friedmann, with second by Ms. Greenlee, moved to accept and file the financial statements as presented in the Finance Director's memo of September 11, 2014. Motion passed 7-0.

- VII. **CONSENT AGENDA** – *A single vote has been scheduled to approve the following routine items of business without discussion, unless individual agenda item action is requested by a Councilor:*

- A. **Special Town Meeting: November 4, 2014** – *Possible motion to approve signing the Special Town Meeting Warrant and Notice of Public Hearing.* – Mr. St. Germain, with second by Ms. Greenlee, moved to approve the consent agenda as published. Motion passed 7-0.

VIII. **REGULAR BUSINESS:**

- A. **West Side Access Road** – *Consideration and any appropriate action to accept Declaration of Covenants and Restrictions for Shepard Harris project* – Following discussion with Town Attorney Rob Crawford and the applicant's representative Jules Opton-Himmel; Mr. Barker, with second by Mr. Friedmann, moved to recommend that the Town Council formally accept the executed Covenants as required by the Planning Board. Motion passed 6-1 (Nay: Mr. Bowden).

- B. **Duck Brook Road** – *Acadia National Park representative Keith Johnston to report status of Duck Brook Road closure.* – Keith Johnston of Acadia National Park gave a brief history of the partial road closure. In 2012, a retaining wall along Duck Brook Road collapsed making vehicle travel unsafe. Funding for the needed repair is denied. Today, the portion of the road remains open to pedestrians and bicyclists as a link between the Town and the carriage roads. In addition, the Park's General Management Plan's decision of 1992 supports this section of the road closure. The Park is requesting feedback on the decision to close the road to vehicle traffic, except for the park and the Town of Bar Harbor would be allowed to use vehicles for administrative access.

Following discussion, Mr. St. Germain, with second by Mr. Friedmann, moved to support the closure of the section of Duck Brook Road from West Street Extension to Duck Brook Bridge as outlined in the Acadia National Park's letter dated September 8, 2014, and as previewed by Acadia National Park tonight, and if so provided, that the Town has vehicle and maintenance access to the Duck Brook waterline. Motion passed 7-0.

- C. **Skatepark** – *Consideration and any appropriate action to authorize the Memorandum of Understanding renewal as proposed.* – Mr. Friedmann, with second by Mr. St. Germain, moved to authorize the Town Manager to sign the Memorandum of Understanding with MDI Skate Park. Motion passed 7-0.
- D. **Sewer Line Extension** – *Consideration and any appropriate action to approve the sewer line extension for the residents of 8 Barberry Lane. The main extension will begin at the intersection of Snow Street and Livingston Road running eastward approximately two hundred eighty (280') feet.* – Following a brief discussion, Mr. St. Germain, with second by Mr. Barker moved to approve the sewer main extension as proposed. Motion passed 7-0.
- E. **FY15 Sewer Budget** – *Consideration and any appropriate action to introduce the Sewer Budget Ordinance as proposed [or amended] and schedule a public hearing for October 7.* – Finance Director Stan Harmon's overview of the proposed budget was a blended rate increase of 8.4%. A number of factors are driving the 13.5% increase in operating expenditures from last year's budget; Maine State Retirement contributions, estimated health insurance, wage increase of COLA and yet union negotiations continue, projects such as wet well painting, lab testing, flo tote maintenance and other operating equipment. Capital rate is flat in this proposed budget. Wastewater personnel Brion Kane and Travis Jones reported on the three major projects that are included in the proposed budget: chlorine contact tank effluent gates, Main Street pump station wet well, and oxigest and pump station "Tin" can testing.
- Following much discussion, Mr. Bowden, with second by Mr. St. Germain, moved to accept the budget report and table this item to October 7th. Motion passed 7-0.
- F. **Council Goal Setting 2015** - *Discussion of dates, potential locations, facilitator and any other arrangements needed for Council's annual goal setting.* – It was general consensus to hold the meeting at the Port Security Building with Ron Beard facilitating from 5:00 to 9:00 p.m. either October 28, 29, or 30th.
- G. **Resolutions** – *Consideration and any appropriate action to approve resolutions thanking each municipality and EMS service who provide aide during the September 2nd Portside Grill fire.* – In addition to presenting the Resolutions to the many municipalities that provided mutual aid, Fire Chief Matt Bartlett also thanked Assistant Chief John Lennon, incident command, for his quick action that contributed to the Bar Harbor firefighters holding the fire until additional manpower arrived. He also thanked the Police Department, Highway, Water Division, EMERA Maine, and local restaurants that provide food and water. Mr. Friedmann, with second by Ms. Greenlee, moved to sign the resolutions that are before the Council. Motion passed 7-0.

**Resolution
of
The Bar Harbor Town Council**

WHEREAS, the Town of Cranberry Isles is commended for their assistance and cooperation during the Portside Grill fire of September 2, 2014; and

WHEREAS, the Town of Cranberry Isles provided their much needed manpower; and

WHEREAS, the Town of Cranberry Isles firefighters' quick response to the call of need resulted in the strong teamwork and assets needed to contain and extinguish the fire with very little damage to adjoining property; and

BE IT RESOLVED, that the Bar Harbor Town Council hereby recognizes the Town of Cranberry Isles for their timely mutual aid support in successfully fulfilling our town's and residents' need of aide during this time of emergency; and

NOW, THEREFORE, The Honorable Members of the Bar Harbor Town Council acknowledge and express their great appreciation to the Town of Cranberry Isles for responding to our call for help and for the mutual respect and commitment to public safety.

**Resolution
of
The Bar Harbor Town Council**

WHEREAS, the City of Ellsworth is commended for their assistance and cooperation during the Portside Grill fire of September 2, 2014; and

WHEREAS, the City of Ellsworth provided their ladder truck and much needed manpower; and

WHEREAS, the City of Ellsworth firefighters responded to a gas odor investigation call, provided assistance at the scene, and provided standby coverage of the Bar Harbor fire station; and

WHEREAS, the City of Ellsworth firefighters' quick response to the call of need resulted in the strong teamwork and assets needed to contain and extinguish the fire with very little damage to adjoining property; and

BE IT RESOLVED, that the Bar Harbor Town Council hereby recognizes the City of Ellsworth for their timely mutual aid support in successfully fulfilling our town's and residents' need of aide during this time of emergency; and

NOW, THEREFORE, The Honorable Members of the Bar Harbor Town Council acknowledge and express their great appreciation to the City of Ellsworth for responding to our call for help and for the mutual respect and commitment to public safety.

**Resolution
of
The Bar Harbor Town Council**

WHEREAS, the Town of Hancock is commended for their assistance and cooperation during the Portside Grill fire of September 2, 2014; and

WHEREAS, the Town of Hancock provided their much needed manpower; and

WHEREAS, the Town of Hancock firefighters' quick response to the call of need resulted in the strong teamwork and assets needed to contain and extinguish the fire with very little damage to adjoining property; and

BE IT RESOLVED, that the Bar Harbor Town Council hereby recognizes the Town of Hancock for their timely mutual aid support in successfully fulfilling our town's and residents' need of aide during this time of emergency; and

NOW, THEREFORE, The Honorable Members of the Bar Harbor Town Council acknowledge and express their great appreciation to the Town of Hancock for responding to our call for help and for the mutual respect and commitment to public safety.

**Resolution
of
The Bar Harbor Town Council**

WHEREAS, the Town of Lamoine is commended for their assistance and co-operation during the Portside Grill fire of September 2, 2014; and

WHEREAS, the Town of Lamoine provided their much needed manpower; and

WHEREAS, the Town of Lamoine firefighters' quick response to the call of need resulted in the strong teamwork and assets needed to contain and extinguish the fire with very little damage to adjoining property; and

BE IT RESOLVED, that the Bar Harbor Town Council hereby recognizes the Town of Lamoine for their timely mutual aid support in successfully fulfilling our town's and residents' need of aide during this time of emergency; and

NOW, THEREFORE, The Honorable Members of the Bar Harbor Town Council acknowledge and express their great appreciation to the Town of Lamoine for responding to our call for help and for the mutual respect and commitment to public safety.

**Resolution
Of
The Bar Harbor Town Council**

WHEREAS, the Town of Mount Desert is commended for their assistance and cooperation during the Portside Grill fire of September 2, 2014; and

WHEREAS, the Town of Mount Desert provided their ladder truck, fire engine, air truck, and much needed manpower; and

WHEREAS, the Town of Mount Desert firefighters' quick response to the call of need resulted in the strong teamwork and assets needed to contain and extinguish the fire with very little damage to adjoining property; and

BE IT RESOLVED, that the Bar Harbor Town Council hereby recognizes the Town of Mount Desert for their timely mutual aid support in successfully fulfilling our town's and residents' need of aide during this time of emergency; and

NOW, THEREFORE, The Honorable Members of the Bar Harbor Town Council acknowledge and express their great appreciation to the Town of Mount Desert for responding to our call for help and for the mutual respect and commitment to public safety.

**Resolution
Of
The Bar Harbor Town Council**

WHEREAS, the Northeast Harbor Ambulance Service is commended for their assistance and cooperation during the Portside Grill fire of September 2, 2014; and

WHEREAS, the Northeast Harbor Ambulance Service provided their ambulance and much needed manpower; and

WHEREAS, Northeast Harbor Ambulance Service personnel provided firefighter rehabilitation at the fire scene; and

WHEREAS, the Northeast Harbor Ambulance Service personnel's quick response to the call of need resulted in the strong teamwork and assets needed to contain and extinguish the fire with very little damage to adjoining property; and

BE IT RESOLVED, that the Bar Harbor Town Council hereby recognizes the Northeast Harbor Ambulance Service for their timely mutual aid support in successfully fulfilling our town's and residents' need of aide during this time of emergency; and

NOW, THEREFORE, The Honorable Members of the Bar Harbor Town Council acknowledge and express their great appreciation to the Northeast Harbor Ambulance Service for responding to our call for help and for the mutual respect and commitment to public safety.

**Resolution
of
The Bar Harbor Town Council**

WHEREAS, the Town of Southwest Harbor is commended for their assistance and cooperation during the Portside Grill fire of September 2, 2014; and

WHEREAS, the Town of Southwest Harbor provided their ladder truck, fire engine, and much needed manpower; and

WHEREAS, the Town of Southwest Harbor firefighters provided standby coverage of the Bar Harbor fire station; and

WHEREAS, the Town of Southwest Harbor firefighters' quick response to the call of need resulted in the strong teamwork and assets needed to contain and extinguish the fire with very little damage to adjoining property; and

BE IT RESOLVED, that the Bar Harbor Town Council hereby recognizes the Town of Southwest Harbor for their timely mutual aid support in successfully fulfilling our town's and residents' need of aide during this time of emergency; and

NOW, THEREFORE, The Honorable Members of the Bar Harbor Town Council acknowledge and express their great appreciation to the Town of Southwest Harbor for responding to our call for help and for the mutual respect and commitment to public safety.

**Resolution
of
The Bar Harbor Town Council**

WHEREAS, the Southwest Harbor Tremont Ambulance Service is commended for their assistance and cooperation during the Portside Grill fire of September 2, 2014; and

WHEREAS, the Southwest Harbor Tremont Ambulance Service provided their ambulance and much needed manpower; and

WHEREAS, Southwest Harbor Tremont Ambulance Service personnel responded to two requests for EMS service; and

WHEREAS, the Southwest Harbor Tremont Ambulance Service personnel's quick response to the call of need resulted in the strong teamwork and assets needed to contain and extinguish the fire with very little damage to adjoining property; and

BE IT RESOLVED, that the Bar Harbor Town Council hereby recognizes the Southwest Harbor Tremont Ambulance Service for their timely mutual aid support in successfully fulfilling our town's and residents' need of aide during this time of emergency; and

NOW, THEREFORE, The Honorable Members of the Bar Harbor Town Council acknowledge and express their great appreciation to the Southwest Harbor Tremont Ambulance Service for responding to our call for help and for the mutual respect and commitment to public safety.

**Resolution
of
The Bar Harbor Town Council**

WHEREAS, the Town of Tremont is commended for their assistance and cooperation during the Portside Grill fire of September 2, 2014; and

WHEREAS, the Town of Tremont provided a fire engine, and their much needed manpower; and

WHEREAS, the Town of Tremont firefighters' quick response to the call of need resulted in the strong teamwork and assets needed to contain and extinguish the fire with very little damage to adjoining property; and

BE IT RESOLVED, that the Bar Harbor Town Council hereby recognizes the Town of Tremont for their timely mutual aid support in successfully fulfilling our town's and residents' need of aide during this time of emergency; and

NOW, THEREFORE, The Honorable Members of the Bar Harbor Town Council acknowledge and express their great appreciation to the Town of Tremont for responding to our call for help and for the mutual respect and commitment to public safety.

**Resolution
of
The Bar Harbor Town Council**

WHEREAS, the Town of Trenton is commended for their assistance and cooperation during the Portside Grill fire of September 2, 2014; and

WHEREAS, the Town of Trenton provided their much needed manpower; and

WHEREAS, the Town of Trenton firefighters' quick response to the call of need resulted in the strong teamwork and assets needed to contain and extinguish the fire with very little damage to adjoining property; and

BE IT RESOLVED, that the Bar Harbor Town Council hereby recognizes the Town of Trenton for their timely mutual aid support in successfully fulfilling our town's and residents' need of aid during this time of emergency; and

NOW, THEREFORE, The Honorable Members of the Bar Harbor Town Council acknowledge and express their great appreciation to the Town of Trenton for responding to our call for help and for the mutual respect and commitment to public safety.

H. **Land Use Ordinance Timeline** – *Consideration and any appropriate action to approve the Land Use Ordinance Rewrite timeline for June 2015 vote.* – Mr. Friedmann, with second by Ms. Greenlee, moved to approve the Land Use Ordinance Rewrite timeline for June 2015 vote. Motion passed 7-0.

I. **Treasurer's Warrant** – *Request of Treasurer to authorize paid bills.* – Mr. Friedmann, with second by Mr. St. Germain, moved to sign the Treasurer's warrant for paid bills. Motion passed 7-0.

IX. **TOWN MANAGER'S COMMENTS**

Mr. Ashe announced that the Town received notice of the forfeiture from the District Attorney's office from the State v. Korey Brown case of money and vehicle property, so the Town can move forward with the proposed police expenditures and with the sale of the motorcycle the proceeds allocated to the MDI Hospital Behavioral Health Center.

A reminder was given for the following meetings: Monday, October 6th at 6:00 p.m. at the Northeast Harbor Town Office, the Town of Mount Desert public hearing on sharing police chief. Wednesday, October 15th at 5:00 p.m. at the Somesville Fire Station, the annual MDI League of Town meeting. The next Council meeting is October 7th, three weeks from now.

He inquired if anyone planned to attend the Maine Municipal Association conference and would be willing to be authorized as the voting delegate. At this time, no one was planning to attend.

Mr. Ashe thought Cornell Knight was very lucky to come aboard to this Council, he never worked with one better. The Town, community, and department heads never made him feel like a short timer. It's been a wonderful experience. He thanked everyone for being so tolerant of him.

X. **COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA**

Mr. Stivers stated that much of the Town Council is pretty green, at least he is. If they were effective, it's because of the help Jim Ashe has given us. "Thank you, Jim."

Mr. Bowden expressed his appreciation to Mr. Ashe for helping the Town. He stated that Jim will be sorely missed.

Mr. Friedmann announced he is continuing to work on photovoltaic, a million dollar project that needs to be privately funded. It takes time to line up investors,

he has taken parties of interest around to visit, and reports that Chip Reeves has been very helpful. There is potential for individual use, too. He remains in contact with ReVision Energy and the College of the Atlantic. He'll continue to report to Council.

He referenced a Bangor Daily News article in today's paper and suggests an agenda item for Chip Reeves to provide his opinion and fill-in the pros and cons of the Municipal Review Committee's integrated solid waste and recycling facility with a landfill proposal on the proposed site in Argyle, since Mr. Reeves is the President of the MRC this year.

Ms. Greenlee underscored working with Jim.

Mr. St. Germain reminded Jim that we do have people visit when we do have snow. He thanked Jim for his help.

Mr. Barker noted that we should give some thought to Mr. Brecher's comments this evening during the Public Comment about our sidewalks.

He thought it would be nice to publicly thank those involved in the Portside Grill fire in addition to those recognized with the resolutions.

He too acknowledged Jim for his great help.

Mr. Barker stated he thought Dick Cough would be a great one to work with the ANP and other resources to find funding to extend the carriage trail from Duck Brook into downtown. He has a lot of connections in town.

Mr. Paradis announced this evening is Jim's last Town Council meeting, and his last day is October 1st. He thanked Jim for his service during this time of transition, and will miss their working relationship. He thought Jim should be proud of all that he has accomplished while here.

XI. **EXECUTIVE SESSION:** (None)

XII. **ADJOURNMENT** – Mr. Friedmann, with second by Mr. St. Germain, moved to adjourn the meeting at 9:31 p.m. Motion passed 7-0.

Patricia A. Gray, Town Clerk

Memo



To: Cornell Night, Town Manager

From: Stan Harmon, Treasurer

CC: Sarah Gilbert, Tax Collector

Date: September 29, 2014

Re: **Authorization to Sign Quit Claim Deed: Bank of New York Mellon**

Could you place on the Council's agenda a proposed vote to authorize you to sign a quitclaim deed for the following property:

Bank of New York Mellon:

Location: 22 White Spruce Rd

Tax Map/Lot: #110-053-000

Sewer Account #0019207

The property originally foreclosed on the 17th of March, 2012, due to a maturing sewer lien that was placed on September 17, 2010. There are also subsequent matured sewer liens, too, involved in this quit claim release deed. As Treasurer, I hereby recommend a vote to release the Town's interest in said property in accordance with the Town Council policy on foreclosures.

Order, that the Town Council, representing the *Inhabitants of Bar Harbor*, does hereby authorize the Town Manager Cornell Knight to sign a quit-claim release deed for the property of Bank of New York Mellon located at 22 White Spruce Road, Tax Map 110-053-000.

Memo



To: Stan Harmon , Treasurer

From: Sarah M. Gilbert, Tax Collector

Date: 9/11/2014

Re: Quit Claim Deed for Bank of New York Mellon Account #0019207

On 9/17/2010, The Town of Bar Harbor placed a sewer lien on James McKay's 22 White Spruce Road Property. This lien matured and subsequently foreclosed on March 17, 2012. This parcel transferred ownership to mortgage holder, Bank of New York Mellon in April of 2014. The account was brought current in August of 2014. There are no outstanding amounts due, utility or tax, and there is one years' sewer charges held in escrow, per Town Policy.

I am requesting the Town Council vote to authorize the Town Manager, Cornell Knight, to sign a Quit Claim Deed, releasing the Town's interest in the property, which I have attached.

Thank You.

MUNICIPAL QUITCLAIM DEED WITHOUT COVENANTS

The Inhabitants of the Municipality of the Town of Bar Harbor, a body corporate and politic located in Hancock County, State of Maine, for consideration paid, does hereby acknowledge, release, convey and forever quitclaim unto:

**The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the Holders of
Certificates, First Horizon Mortgage Pass-Through Certificates, Series (FHASI 2005-AR6)
by First Horizon Homes, a division of First Tennessee Bank National Association Master
Servicer in its capacity as agent for the Trustee under the Pooling and Servicing Agreement**

a certain parcel of land located in the Municipality of Bar Harbor, Hancock County, State of Maine, identified as follows:

Tax Map 110, Lot 053

Property Location: 22 White Spruce Road, Bar Harbor, Hancock County, Maine

This deed is given for the purpose of releasing and conveying any and all rights which this grantor may have acquired by virtue of the following tax liens which were imposed against the above property and recorded in said Registry of Deeds as follows:

Book 5482, Page 93	Recorded on September 17, 2010
Book 5555, Page 30	Recorded on January 7, 2011
Book 5606, Page 326	Recorded on April 22, 2011
Book 5645, Page 277	Recorded on July 8, 2011
Book 5683, Page 100	Recorded on September 23, 2011
Book 5747, Page 56	Recorded on January 6, 2012
Book 5803, Page 241	Recorded on April 25, 2012

The Inhabitants of the Municipality of Bar Harbor have caused this instrument to be signed in its corporate name by Cornell Knight, its Town Manager, thereunto duly authorized.

Witness my hand and seal this ____ day of October, 2014.

INHABITANTS OF TOWN OF BAR HARBOR

By: _____
Cornell Knight, Town Manager

STATE OF MAINE
HANCOCK COUNTY, ss.

October ___, 2014

Personally appeared before me the above-named Cornell Knight, Town Manager of the Municipality of Bar Harbor, and acknowledged the foregoing to be his free act and deed in his said capacity and the free act and deed of the Inhabitants of said Municipality.

Notary Public
Printed Name: _____
My Commission Expires: _____

Town of Bar Harbor

Memo

To: Town Council
From: Patricia Gray, Town Clerk
CC: Cornell Knight, Town Manger
Date: October 2, 2014
Re: Warden for State November 2014 Election

In accordance with 21A MRSA section 501, the appointment of Warden for each State election is with the approval of the municipal officers. Please consider the appointment of Patricia Gray as Warden for the above November election.

Thank you.

Pat

Town of Bar Harbor

Memo

To: Town Council
From: Patricia Gray
cc: Cornell Knight, Town Manager
Date: October 2, 2014
Re: Purchasing Policy – Signing Authority

During the search for a new Town Manager, the Council authorized the Treasurer to act in the Manager's capacity under the Purchasing Policy. The Treasurer requests to revert the purchasing signing authority back to the Town Manager.

Pat

Purchasing Policy

Town of Bar Harbor

04-Jun-1996

Spending Authorization

The Town Manager is designated by the Charter as the Purchasing Agent for the Town. Accordingly, the Manager and Department Heads are authorized to spend within budget appropriations. Purchases within the dollar ranges specified below must meet the requirements listed.

\$0 - \$2,500. Formal competitive bidding is not required. However, the purchaser should endeavor to get the best value for the money spent. Department Head or his designee can approve the purchase.

\$2,500 - \$7,500. Verbal quotations shall be solicited from a minimum of three qualified bidders, if available. The quotes must be documented and attached to purchase order. A purchase order signed by the Town Manager is required.

\$7,500 - \$25,000. Written proposals or bids shall be solicited from a minimum of three qualified bidders, if available and attached to purchase order. A purchase order signed by the Town Manager is required.

Over \$25,000. Written bid specifications or equivalent shall be approved by the Town Manager. The bid shall be advertised by the most efficient means possible, in order to encourage the widest possible competition. Sealed bids shall be specified and opened at a public meeting. The Town Manager may award the bid to the lowest bidder and sign the purchase order or contract. Only the Town Council may award the bid to anyone other than the lowest bidder.

Total Cost Bidding

If the Town Manager feels that it is in the best interest of the Town not to award the bid to the low bidder, he may refer the award of the bid to the Town Council. The Town Council shall award the bid to the best bidder; not necessarily the lowest bidder; keeping in mind the total cost over the life of the project or equipment, the quality of material, availability of service, contributions by the bidder to the local tax or employment base and other significant factors.

Cooperative Purchasing

Competitive bidding requirements may be delegated by the Town Manager to Island-wide, area-wide or State-wide purchasing cooperatives.

Exemptions from Competitive Bidding:

1. Contracts for professional services
2. Hourly rate contracts, which cannot be effectively estimated.

3. Situations in which it is determined by the Town Manager that only one firm can effectively provide the required service or materials.
4. Emergency repair or replacement where it is determined by the Town Manager that the repair or replacement cannot be delayed sufficiently to conform to the policy.
5. The letting of contracts or purchases of additional quantities, where the Town has recently awarded bids as normally required, and the successful bidder is willing to honor his original price.

LEGISLATIVE HISTORY

22-Apr-87 - Original policy adopted.

15-Feb-94 - Amended

30-May-96 - Draft

04-Jun-96 - Amended

Memo

To: Town Council
Cc: Cornell Knight, Town Manager
From: Patricia Gray, Town Clerk/General Assistance Administrator
Date: 10/2/14
RE: Appendixes B, C, and G General Assistance Ordinance Amendment

Annually the General Assistance Ordinance Appendixes, Chapter 102, of the Town Code is adjusted by Maine Municipal Association in conjunction with Department of Health & Human Services. This has always been in the month of October. The Appendixes to be considered are B, C, and G with effective dates of October 1, 2014 to September 30, 2015.

Because this is a Town ordinance, mandated by the State, the process to amend the ordinance must following Town Code. These figures are set and are based on federal and state formulas, regulations and funding. Appendix C, housing is the only one that may be amended by the municipal officers, and that is if they file a request with DHHS and following the criteria.

Please order to schedule a public hearing for November 18, 2014 to consider adopting the amended Appendixes B, C, and G of the Town Code, Chapter 102, General Assistance.

Thank you for your consideration.

Pat

Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. Through October 1, 2015, those amounts are:

Number in Household	Weekly Maximum	Monthly Maximum
1	45.12	194
2	83.02	357
3	118.84	511
4	150.93	649
5	179.30	771
6	215.12	925
7	237.67	1,022
8	271.86	1,169

Note: For each additional person add \$146 per month.

GA Housing Maximums (Heated & Unheated Rents)

NOTE: NOT ALL MUNICIPALITIES SHOULD ADOPT THESE SUGGESTED HOUSING MAXIMUMS! Municipalities should ONLY **consider** adopting the following numbers, if these figures are consistent with local rent values. If not, a market survey should be conducted and the figures should be altered accordingly. The results of any such survey must be presented to DHHS prior to adoption. **Or**, no housing maximums should be adopted and eligibility should be analyzed in terms of the Overall Maximum—Appendix A. (*See Instruction Memo for further guidance.*)

Non-Metropolitan FMR Areas

<u>Aroostook County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		84	362	107	461
1		84	362	113	487
2		99	426	136	584
3		134	575	179	770
4		143	614	197	848
<u>Franklin County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		96	412	119	511
1		97	418	124	533
2		115	493	151	651
3		137	591	183	786
4		210	905	265	1,139
<u>Hancock County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		105	451	126	543
1		117	503	145	625
2		145	622	180	776
3		197	845	241	1,038
4		197	845	245	1,054
<u>Kennebec County</u>		<u>Unheated</u>		<u>Heated</u>	
Bedrooms		Weekly	Monthly	Weekly	Monthly
0		83	359	106	457
1		94	404	123	530
2		123	529	160	686
3		159	685	203	872
4		159	685	214	920

Mileage Rate

This municipality adopts the State of Maine travel expense reimbursement rate as set by the Office of the State Controller. The current rate for approved employment and necessary medical travel etc. is 44 cents (44¢) per mile.

Please refer to the Office of State Controller for changes to this rate: Telephone: 626-8420 or visit: <http://www.state.me.us/osc/>

NOTICE of PUBLIC HEARING

TOWN OF BAR HARBOR

STATE OF MAINE

County of Hancock, ss

To: A Constable of the Town of Bar Harbor

Greeting:

In the name of the State of Maine you are hereby required to notify and warn the inhabitants of the Town of Bar Harbor that the Bar Harbor Town Council will hold a public hearing in the Council Chambers, third floor, Municipal Building on Tuesday, the seventh of October, in the year of our Lord Two Thousand and Fourteen at seven o'clock in the afternoon then and there to hear public comment on the following articles placed on the written ballot of the Special Town Meeting to be held on Tuesday, the fourth of November 2014:

Article 2 - DEER HERD MANAGEMENT STRATEGY PLAN – Shall the voters of Bar Harbor authorize the Bar Harbor Town Council to petition the Maine Department of Inland Fisheries and Wildlife to adopt a plan based on the Town's proposed Deer Herd Management Strategy Plan, dated August 21, 2014?

Deer Herd Management Strategy for Bar Harbor, Maine

Background/History

The Bar Harbor Deer Herd Control Task Force (hereafter: the task force) first met in February 2013, after being convened by the Town Council in response to concerns of residents over deer numbers. The task force consists of representatives from Acadia National Park, law enforcement, Maine Department of Inland Fisheries and Wildlife, the Bar Harbor Conservation Commission, Kebo Valley Golf Club and three members of the public. The first aim of the task force was to gather information on deer and deer-related issues in Bar Harbor. Our findings were presented to the Town Council in an interim report on May 14, 2013. This report, additional information, and the proceedings of the task force can be found on the town website (<http://www.barharbormaine.gov/279/Deer-Herd-Control>).

Our initial findings are summarized as follows: There are no current estimates of deer densities in Bar Harbor or on MDI; although browsing data from Acadia National Park and the general health of the deer do not suggest that they are above their ecological carrying capacity (the population the habitat can sustainably support). However, deer may be nearing or above their social carrying capacity (the population people can tolerate living with). Of particular concern were car deer accidents (steadily increasing, and roughly 2.5 times higher now than in the 1990s or early 2000s), property damage (quantifiable only anecdotally and by an increase in the

number of nuisance depredation permits requested over the past three years), and the incidence of Lyme disease (a greater than four-fold increase since 2006).

Since the social carrying capacity is a subjective measure determined by public sentiment, the next aim of the task force was to assess public attitudes on deer. This was done by a survey mailed to the Bar Harbor property tax mailing list. Of the roughly 2700 surveys mailed out, over 1300 were returned. A majority (56.3%) of respondents answered “Yes” to the question, “Do you believe that the current deer population in the Town of Bar Harbor presents a problem, and that management alternatives should be explored by the Deer Herd Control Task Force, with recommendation to be presented to the Town Council subject to approval by the Town?” The detailed results of this survey can also be found on the town website.

In response to this majority opinion, the task force has since been working with representatives from the Maine Department of Inland Fisheries and Wildlife (MDIFW) to devise a deer management strategy.

The process for enacting a change in deer management

Deer are a public resource managed in the State of Maine by the Maine Department of Inland Fisheries and Wildlife, which must approve any implementation of changes in deer management practices. To gain MDIFW approval, a town must demonstrate that there is substantial agreement that deer are a problem (demonstrated by the survey results of October 2013). The town must then work with MDIFW to develop a management strategy appropriate for the setting (the phase we have just completed). The management strategy must have substantial public support (to be demonstrated by a vote on the November 2014 ballot). If substantial support is demonstrated, the town council may then petition the Commissioner of MDIFW to enact the approved management plan. MDIFW would have final authority on the approval.

Summary of strategies deemed unfeasible or cost prohibitive

A number of strategies for deer management were considered and were deemed unfeasible.

- **Trap-and-relocate:** Trapping live deer and relocating them to new habitats is expensive (>\$1000/head), has a high mortality rate from stress (>50%), and must be done continuously to control deer numbers. This combination of factors makes it unfeasible and unacceptable to MDIFW.
- **Contraception:** This strategy involves darting does with contraceptives and is also expensive (hundreds of dollars per head), is not proven effective in a habitat as large and fluid as Bar Harbor, and must also be implemented on an ongoing basis (annually or every other year), again making it unfeasible and unacceptable to MDIFW.
- **Sharp shooter lethal removal:** The use of professional sharp shooters to cull deer can be very effective, but is expensive (>\$600/head) and must be implemented repeatedly if reduced population levels are to be maintained. Conservatively, in Bar Harbor this would cost close to \$100,000.
- **Deer deterrents:** The use of fencing, chemical deterrents, and plantings that are not attractive to deer can be effective on a limited scale and are encouraged, but typically these do not address the core issue of deer numbers and simply shift the impact of deer to surrounding habitats.
- **Insecticide application:** Devices consisting of a feed station hemmed by insecticide applicators can be used to reduce tick numbers on deer and the incidence of Lyme

disease. These devices are also expensive (\$425 each, 2007 prices), require up to one ton of feed per year each, are maintenance intensive and may require a pesticide applicators license to operate. Furthermore, these devices may help address Lyme disease, but do not impact other issues such as property damage or car-deer accidents.

Summary of the proposed strategy

Approaches that have proven to be safe, effective, and affordable in other communities involve deer reduction through hunting. Maine has four deer seasons: the special archery season, the expanded archery season, the firearms deer season, and the muzzleloader deer season. The task force felt that the wholesale adoption of these seasons would be problematic and unpopular with residents. Conversely, the adoption of only the most conservative of these seasons (the special archery season, a four week archery-only season in October with a one deer bag limit) would be ineffective in reducing the population. We have therefore settled on an intermediate approach, which involves greater restrictions on participation and greater oversight of the process than a regular deer season, but which can still achieve our management objectives.

We propose a two-stage strategy modeled from successful efforts in other off shore communities in Maine and adopted by MDIFW, as well as successful suburban deer management efforts in states such as Connecticut. This consists of a short-term intensive effort to reduce deer numbers, followed by a long-term management strategy to maintain the population at those lower levels. The short-term strategy consists of a special deer reduction program that would be outside of the normal Maine deer hunting seasons and be sanctioned under the authority of the Commissioner of MDIFW. This effort will be highly regulated, monitored, and restricted in participation, as detailed below. In the long term, the reduced population of deer in Bar Harbor will be maintained at lower levels using archery-only methods under state regulation. Firearms hunting of deer, including muzzleloading firearms, are allowed during the short-term program described below, but are not part of the long-term strategy. It should be noted that all forms of hunting that are legal in the State of Maine are currently allowed in Bar Harbor under statewide regulations, with the exception of deer hunting.

Short-term Deer Population Reduction Program

The goal of the short-term effort is to be maximally effective in reducing deer numbers while maintaining public safety and local and landowner control of the process. This effort will take the form of a special deer reduction program under the direction and authority of MDIFW. This program will be implemented once per year for at least two years, assessed at that time for its success and effectiveness, and potentially continued for one to two additional years.

Timing. We propose a 2-4 week season in late December and/or January. The dates are deliberately non-specific at this time so that we can make arrangements with partners such as College of the Atlantic for the collection of biological data on the deer harvested and so that we can modify the process in the second and/or subsequent years. For example, the season could be lengthened or shortened in the second year depending on the level of success in the first year. Dates will be set well in advance and the public will be notified of the final season each year.

Hunting Methods. Archery and firearms. All hunting must be conducted from a fixed station (blind) or elevated platform (stand). **Each landowner may specify and restrict methods to those that may be safely implemented on their property, provided those methods are legal**

methods of take for deer in the state of Maine. The safe implementation of this special deer reduction program, including the location of stands and the conduct of participants, is the responsibility of the individual, permitted landowner.

Note, if the discharge of a firearm, the projectile path of that firearm, or the intended target of that firearm are within 100 yards of a dwelling or structure, even if not on the same property, written permission of the owner of the dwelling or structure is required by state law.

Criteria for participation.

Hunters. Only property owners of Bar Harbor, to include the property owner and immediate family members resident in the same household, and/or two designees per property, are allowed to participate. Non-resident property owners may participate and can assign two designees, but that property owner must be present locally during the time of participation by any authorized designee on that property to proceed. Property owners may hunt on their own property and designees are limited to hunting on the property(s) for which they are designated (property owners may also be designees on other properties). The responsible party for any given property and the actions of the designees on that property is the property owner.

All participants must register in advance for the deer reduction program and be vetted by the town and MDIFW, after which they will be given specific authorization.

All lands within the boundaries of Acadia National Park and within the town proper of Bar Harbor (as defined by the zone prohibiting the discharge of firearms: code Chapter 81-2A, Beginning at a point at low water mark due east of the intersection of Main Street and Schooner Head Road, thence following in a direct line to the intersection of Main Street and Schooner Head Road, thence following Main Street to the intersection of Main Street and Cromwell Harbor Road, thence following Cromwell Harbor Road to the intersection of Eagle Lake Road, thence following Eagle Lake Road to the intersection of Cleftstone Road, thence northerly following Cleftstone Road and the easterly boundary line of Acadia National Park to Duck Brook, thence following Duck Brook easterly to the high water mark of Frenchman's Bay) **are closed to hunting by all methods.**

All participants must possess valid, current, and appropriate hunting licenses, as required by the State of Maine, and must follow all Maine general hunting laws (with exceptions noted below).

Regulations. Unless otherwise provided, general hunting regulations will apply to this deer reduction program. An exception is that attractants may be used on properties authorized for participation in this program. One of the focuses of this program will be to identify participating property owners in areas of high deer densities and deer related vehicle collisions. The use of attractants can increase effectiveness in these areas. If permitted, those properties deploying attractants would be pre-registered with MDIFW and be subject to monitoring requirements and inspections.

Donations to Hunters for the Hungry. Hunters for the Hungry is a state run program that assists in the collection of unwanted venison from hunters, pays for its processing, and coordinates distribution of the meat to local food pantries. Hunters for the Hungry is willing to work with Bar Harbor in the special deer reduction program and a mandatory donation component is under consideration.

Violations. Anyone not hunting under the MDIFW provisions/permits and Town of Bar Harbor criteria would be in violation, would be terminated from participation in the special deer reduction program, and would be subject to appropriate legal action.

Number of deer per hunter. The number of deer to be taken is not restricted in order to maximize the short-term reduction effort. Given that only half of the area of Bar Harbor is open to hunting (see below), and that Bar Harbor is only one community on Mount Desert Island, there is essentially no chance of locally eliminating deer through this short-term reduction effort. Instead, the challenge will be to effectively reduce the deer population to levels that minimize issues of public concern. Given the substantial areas of refugia and with the goal of reducing the deer population as soon as is practical, we will not restrict the number of deer that can be taken during the short-term reduction effort.

Available land. Depending on voluntary property owner participation, mapping results indicate 13,646 acres could potentially be open to hunting, whereas 13,308 acres within Acadia National Park and the town proper of Bar Harbor would not be open.

Community Safety. Bar Harbor residents would be fully informed about all aspects of the hunt through public information meetings and publications. The town proper (see picture above) is not open to either the short term or long term management options.

Tagging station. There would be a tagging station during the special deer reduction program, location to be determined. All deer taken would need to be registered at the tagging station within 16 hours of harvest.

Biological analysis. In collaboration with COA, MDIFW and ANP, tagging station staff would take deer measurements and extract teeth. These data would be analyzed by MDIFW to ascertain the composition and condition of the deer herd.

Meat Processing. Participants are allowed to keep a limited number of deer for personal use. The remainder, or deer not wanted by hunters will be donated to Hunters for the Hungry, who have agreed to participate and will arrange and pay for processing of venison and distribution to local food pantries.

Long-term Deer Population Maintenance Effort

MDIFW requires a long-term management plan to provide a commitment and means to maintain deer at compatible levels (estimated by indices described below). The long-term strategy is the implementation of the regular Maine archery deer hunting season(s). Maine has two archery deer seasons, the special archery season (one deer, either sex, four week open season in October), and the expanded archery season (only special zones open, additional harvest tags available, mid-Sept. to mid-Dec.).

Given the population density of Bar Harbor, a continuing firearms deer season would not be popular. An archery season provides a low impact, low visibility, extremely safe method of maintaining a reduced deer population. MDIFW would require that a long-term plan comply with statewide seasons and regulations, albeit a subset of those seasons. The special archery season is the most conservative management tool and would be implemented to maintain the population at lower levels. Property owner permission for access to private land for hunting is always recommended by MDIFW. A system for property owners to register their land as open to future archery hunting with conditions (open, by permission only, not open), which is modeled after similar programs in Bucksport and Castine, is being developed.

Measures of success

Social. The task force will maintain records of hunter participation, landowner satisfaction and the public's reaction to safety issues via public meetings and our email address (bhdeertaskforce@gmail.com).

Empirical. Working with MDIFW and other agencies, the task force will keep record of and coordinate the collection of several categories of data:

- Deer harvest and biological data from tagging and registration.
- Deer population indices. Efforts are underway to coordinate surveys of deer numbers/densities in a collaboration between COA/ANP/Maine Coast Heritage Trust/MDIFW. A target density of 10-15 deer per square mile is considered effective for reducing tick numbers and should also reduce car/deer accidents and property damage.
- Tick numbers. The Vector-borne Disease Laboratory at the Maine Medical Center, in collaboration with ANP and COA, will monitor tick numbers beginning in 2014.
- Tick-borne disease. Working with the Maine Centers for Disease Control, the task force will monitor the incidence of Lyme disease and other tick-borne diseases.

Vehicle accidents. Working with the Bar Harbor Police Department, the task force will monitor trends in the incidence and location of deer-related road accidents.

Conclusion:

The proposed deer management plan was developed in partnership with Maine Department of Inland Fisheries and Wildlife after a majority of Bar Harbor property owners responding to a survey indicated that they felt the current deer population was a problem.

The plan includes a short-term strategy to initially reduce deer numbers, and a long-term strategy to maintain the desired lower population levels. The short-term plan involves a special deer reduction program that is designed to be maximally effective, while maintaining the greatest amount of oversight and local/landowner control of the process. Participation is limited and public safety is an overarching objective. A long-term plan for an archery deer season will be used to maintain reduced and healthy populations.

Scientifically based measures of success are being implemented by partners in this process to establish deer population trends, as well as tick counts, Lyme disease incidence, and car/deer accidents. Taken together, this strategy accomplishes the goal of reducing deer numbers using inexpensive approaches that are proven to be effective, while maintaining public safety and local control of activities. Details remain to be finalized in this plan, such as the final dates for the short-term deer reduction program, establishing indices of deer density, the location and staffing of a registration and check station, and whether and how to implement a mandatory donation component. The task force is working on these issues with various partners in this process, and in some cases, flexibility is needed so that modifications may be made based on success and assessment of initial efforts. However, the proposed short-term and long-term strategies are the essential components of this plan and are agreed upon by the task force. The Deer Herd Control Task Force endorses this plan and encourages its adoption by the Town Council so that it may be considered for public discussion and possible approval on the November ballot. Such approval would authorize the Town Council to petition MDIFW for a change in the deer management practices in Bar Harbor.

Respectfully submitted by the Bar Harbor Deer Herd Control Task Force,
Robert Kelley, Chair
Robert Jordan, Vice-Chair
Robert Burgess, Secretary
Bruce Connery, Acadia National Park
Thomas Schaeffer and Lisa Bates, Maine Dept. Inland Fisheries and Wildlife
Jesse Wheeler, Bar Harbor Conservation Commission
Lt. James Pinkham, Bar Harbor Police Department
Chuck Starr, Kebo Valley Golf Club

Explanation: *The Deer Herd Control Task Force (hereinafter “TF”) was established to address the concerns of residents regarding the deer population. The TF included members of the public, Acadia National Park, law enforcement, Maine Department of Inland Fisheries and Wildlife (MDIFW), Conservation Commission, and Kebo Valley Golf Club. Their first objective was to gather information on deer and deer-related issues in Bar Harbor. The TF found there were no current estimates of deer densities in Bar Harbor or MDI, and that the public’s tolerance for deer numbers was nearing or had exceeded its limit. A survey, mailed to all property owners, confirmed these findings with 56.3% of respondents indicating that the current deer population in Bar Harbor was a problem and that management alternatives should be explored. The TF then worked with MDIFW to develop the proposed plan comprised of: 1) a short-term effort, in which the use of archery and firearms is permitted during a 2-4 week period in late December or early January for two to four years (depending on success) to reduce the herd to a desired level and 2) a long-term effort, during which only archery will be permitted during the regular statewide archery season (four weeks in October) to maintain the reduced and healthy population. The short-term effort involves only Bar Harbor property owners and up to two designees per property. The hunters must be the property owner or have the property owner’s permission as a pre-arranged designee. The long-term effort through an archery-only season will fall under state regulations. If the voters authorize the Town Council to petition the Commissioner of MDIFW to adopt a plan based on the Town’s proposed Deer Herd*

Management Strategy Plan, MDIFW will then have final authority for adoption and oversight of the plan.

Recommendation:

The seven member Town Council recommends adoption by a vote of 4 to 3.

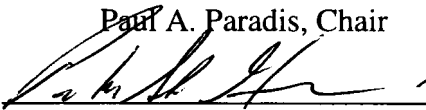
The 22 member Warrant Committee recommends rejection by a vote of 6 to 5.

Given under our hands this sixteenth day of September 2014.

Municipal Officers of the Town of Bar Harbor



Paul A. Paradis, Chair



Peter St. Germain



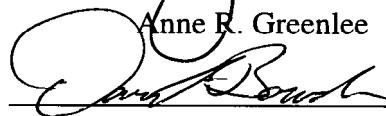
Burt Barker




Gary Friedmann, Vice Chair



Anne R. Greenlee



David Bowden



J. Clark Stivers

Attest:

A true copy


Town Clerk of Bar Harbor, ME

Memorandum



To: Town Councilors
CC: Jim Ashe, Interim Town Manager
 Chip Reeves, Public Works Director
From: Stan Harmon, Finance Director
Date: 9/30/2014
Re: Revisions to Proposed Sewer Budget

Mr. Reeves and Interim Town Manager Jim Ashe reviewed the budget lines and together suggested deferring action (spending) on certain items with the result being a downward adjustment of the proposed increase requested of the sewer users. These deductions below are in the Operational budget section:

<u>Acct#</u>	<u>Description</u>	<u>Amount</u>	<u>Reason</u>
5330	Wet Well Prep & Paint	\$63,250	spread work over 4 years
5628	Main repairs	\$ 5,050	defer certain repairs
5704	Operating Equipment	\$ 700	buy 1 instead of 2 manhole covers
5844	Training Expenses	<u>\$ 1,000</u>	defer certain planned training
	Totals	<u>\$70,000</u>	

With these changes I have recalculated the proposed rate increase in the sewer budget. The operating expenses will be reduced to \$97,671 over last year's budget from the \$167,671 as presently indicated on the bottom of page 12. Chart H attached reflects the rates as re-calculated. The revised operations rate will now show an increase of 7.8% versus the 13.9% at the September 16th budget introduction. The key overall blended rate increase will now be 4.7% or \$26.40 annually, or \$2.20 per month for a household family of four. I will make the necessary budget page changes and suggested ordinance changes if this is approved by the Council at the October 7th meeting and there are no other amendments. This will enable the Council to have replacement budget pages in hand prior to a future scheduled public hearing.

It should be noted that the *annual* increase realized by the sewer customers will be *less* than stated above because the first fiscal quarter will already have been billed at the old rate to avoid a long delay in mailing the water/sewer bills. Any shortage in revenues would be covered by the healthy fund balance reserve in this fund.

Sewer Rate Schedule

Chart H

<i>Type of Rate</i>	<i>Measure</i>	<i>Old Rate FY14</i>	<i>New Rate FY15</i>	<i>Percent Change</i>
Operations Rate (See Chart M)	Per 100 Cubic Feet of Water Used	\$4.24	\$4.57	7.8%
Capital Rate (See Chart M)	Per 100 C.F. of Seasonal Water Used	\$5.54	\$5.54	0.0%
Minimum Operations Bills: (per quarter)				
- Residential Customers	Based on 1000 Cu. Ft. of Water Used	\$42.40	\$45.70	7.8%
- Non-Residential Cust.	Based on 2800 Cu. Ft. of Water Used	\$118.72	\$127.96	7.8%
- Unmetered Customers	Based on 2150 Cu. Ft. of Water Used	\$91.16	\$98.26	7.8%
Septic Tank Pumpage (Note B)	Per 100 Gallons	\$11.22	\$11.22	0.0%
Sludge Disposal (Notes A & B)	Per 100 Gallons	\$6.72	\$6.72	0.0%
Connection Fee Rate	Per Gallon of Sewage Per Day	\$9.83	\$10.60	7.8%
	Per Inch of Sewer Service Diameter	\$100	\$100	0.0%
Late Payment Penalty(Note C)	Per Annum	7.0%	7.0%	0.0%

Notes:

- A. We dewater and dispose of sewage plant sludge for the towns of Mount Desert and Southwest Harbor.
- B. This rate was set based on market.
- C. The maximum amount of this rate is set by State Law as determined by the State Treasurer.

~~ End of Sewer Rate Schedule ~~